

**REMARKS**

The Applicant thanks the Examiner for accepting the drawings filed on July 30, 2003. The Applicant also thanks the Examiner for acknowledgment of the claim for priority under 35 U.S.C. § 119(a)-(d) or (f) and receipt of the certified copies of the priority document.

**Summary of the Claim Rejections**

Claims 1-35 are pending in this application. Claims 1-3,5,17-19, 21 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of Jinzaki (U.S. 7,161,940).

Claims 4 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of Jinzaki and further in view of the Real-time Streaming Protocol Specification.

Claims 6-8,16, and 22-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of Batson (U.S. 6,098,126).

Claims 10,11,13-16,26,27,29-31 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of Batson (U.S. 6,098,126) and further in view of Jinzaki.

Claims 9 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of Batson and further in view of the Real-Tim Streaming Protocol Specification.

Claims 12 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of Batson in view of Jinzaki and further in view of Matsui (U.S. 2001/0018769).

Claims 33 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui (U.S. 6,580,756) in view of the Real-Time Streaming Protocol Specification.

### **Claim Rejections**

#### Claims 1-5

Claim 1 recites “a multimedia document generator/transmitter, which generates and transmits a multimedia document scheduled at the generated reference clock value.” The grounds of rejection identify the timestamp of Matsui as allegedly corresponding to the reference clock value of claim 1 (Office Action, page 2, section 3. Generally, “timestamp” means a sequence of characters, denoting the date and/or time at which a certain event occurred. (refer to <http://en.wikipedia.org/>). Therefore, “timestamp” in Matsui can only be used as a means of synchronizing the transmitting end and the receiving end. (refer to column 3, lines 34-50 of Matsui); “timestamp” in Matsui cannot be a current time value of real-time multimedia broadcasting, and thus the recited “reference clock value” cannot correspond to the timestamp of Matsui.

The American Heritage Dictionary defines “schedule” as “to plan or appoint for a certain time or date” (<http://www.bartleby.com/61/22/S0132200.html>). This is similar to the way in which “schedule” is used in the current Specification and claims. For example, paragraph 25 of the Specification indicate that in an exemplary embodiment of the present invention,

the time slot information 12 is information indicating a broadcasting time slot in which a reference clock value, a SMIL document, or media data is scheduled *to be* broadcast. For example, if SMIL broadcasting is scheduled from 6 to 24 o'clock, and a morning news program is scheduled from 6 to 7 o'clock and a morning drama is scheduled from 7 to 8 o'clock, the time slot information 12 of the morning news program can be set to 0 (or 00) and the time slot information 12 of the morning drama can be set to 1 (or 01). Here, when a reference clock value is in the range

of 6-7, the time slot information 12 of the reference clock value is 0.

The reference clock value thus indicates, in this exemplary embodiment, the time that the data is scheduled to be broadcast; it is “appointed for a certain time or date” to be broadcast.

In contrast, the packet of Matsui cannot be “a multimedia document *scheduled* at the generated reference clock value”, as recited in claim 1, because the timestamp, is by definition, merely an indication of a time that something has *already happened*.

The grounds of rejection assert that “Jinzaki teaches a transmission data scheduled at a reference clock value” (Office Action page 5, second paragraph). However, Jinzaki discloses the use of “time intervals as information about the time of previous transmission and the time of subsequent transmission.” These intervals can be seen in figure 24 (*compare* figures 15-16). As can be seen, these intervals are not clock reference values, as disclosed in claim 1. Thus the data cannot be “scheduled at the generated reference clock value”, as recited in claim 1.

Claim 1 is therefore patentable over Matsui in view of Jinzaki at least for this reason, as well as additional recited features. Claims 2-5 that depend from claim 1 are patentable due to their dependency.

#### Claims 6-15

As to claim 6, the grounds of rejection admit that Matsui does not teach a multimedia document scheduled at the reference clock value (Office Action, page 9, 5<sup>th</sup> paragraph). The grounds of rejection point to Batson as disclosing that “the first multimedia document is scheduled at the reference clock value” (Office Action, page 9, 6<sup>th</sup> paragraph). However, Batson discloses a system which internally retrieves and displays data at a given time. If the system of Batson is combined with the client terminal of Matsui, the client terminal would then have the

capacity to internally produce retrieval requests for data at or before a specific time, as disclosed by Batson; however, the received data would still not be scheduled at received reference clock value, as recited in claim 6. The alleged received reference clock value of Matsui is a timestamp, which as explained above, does not disclose the reference clock value, as recited in claim 6.

Furthermore, the motivation to combine is defective. For both claims 1 and 6, the grounds of rejection assert that one of skill in the art would have combined the references “in order to enable a webcast subscriber to watch a football game over the internet” (Office Action, page 9, last paragraph). However, the primary reference Matsui “relates to ... a method for transmitting image data of MPEG4, through the Internet” (Field of the Invention). Matsui by itself thus discloses enabling watching video over the internet. It is unclear if the usage by “a webcast subscriber” is somehow not possible in the system of Matsui. It is also not clear and not explained how this deficiency would be remedied by combination of Matsui with either Jinzaki or Batson. Indeed, as Batson discloses a method to retrieve synchronous data from an internal storage device, it is unclear how this would relate to “a webcast subscriber [watching] a football game over the internet.” The grounds of rejection thus fail to explain why one of ordinary skill in the art would have been motivated to combine the references, and thus fails to present a *prima facie* case of obviousness (see MPEP § 2142).

Claim 6 is thus patentable over Matsui and Batson. Claims 7-15, which depend from claim 6, are patentable due to their dependencies.

#### Claim 16

Claim 16 recites limitations similar to those analyzed for claims 1 and 6 above, and is rejected on the same basis in the grounds of rejection. Therefore, for the reasons outlined above, claim 16 is patentable over Matsui, Batson and Jinzaki.

Claim 17-21

Claim 17 recites a feature similar to the feature of claim 1 analyzed above, and is patentable over Matsui and Jinzaki for the same reason. Claims 18-21 are patentable due to their dependency from claim 17.

Claims 22-31

Claim 22 recites a feature similar to the feature of claim 6 analyzed above, and is patentable over Matsui and Batson for the same reason. Claims 23-31 are patentable due to their dependence from claim 22.

Claim 32

Claim 32 recites a feature similar to the feature of claim 6 analyzed above, and is patentable over Matsui and Batson for the same reason.

Claims 33-34

Claim 33 recites “A data structure used for multimedia broadcasting” comprising “type information, which indicates whether substantial data is a reference clock value, which is a current time value of real-time multimedia broadcasting, a multimedia document scheduled at the generated reference clock value, or media data, which is a rendering material used to render the generated multimedia document.” The grounds of rejection assert that this feature is suggested by the combination of Matsui, using RTSP, with the RTSP specification, section 12.16. However, this section states that “the content types suitable for RTSP are likely to be restricted in practice to presentation descriptions and parameter-value types.” The presentation description defines the media to be streamed by RTSP (RTSP Specification section 1.1), and includes “the set of encodings, network addresses and information about the content” (section 1.3, “presentation description”). The parameter values are values that can be changed during

streaming playback (*see* section 1.3, “media parameter”). There is no teaching or suggestion that RTSP transmits a reference clock value as “payload information, which is substantial data information” or indicates a reference clock value in “type information,” as recited in claim 33. The RTSP Specification in fact strongly teaches away from such usage by limiting content type to presentation description and parameter values. Claim 33 is patentable over Matsui and the RTSP protocol at least due to this difference. Claim 34 is patentable due to its dependence from claim 33.

Claim 35

Claim 35 recites “A computer-readable recording medium in which a program for executing the method of any one of claims 17 through 32 in a computer is recorded.” As explained above, each of claims 17 through 32 are patentable. Therefore, claim 35 is patentable at least due to its dependency.

Conclusion

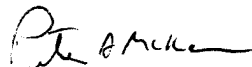
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/629,717

Attorney Docket No.: Q76376

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880 via EFS payment screen. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



---

Peter A. McKenna  
Registration No. 38,551

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: April 8, 2008